

INFORMATION DISCLOSURE STATEMENTS

On September 16, 2003, Applicant submitted an Information Disclosure Statement for this case. The Examiner did not return an initialed copy of that Statement with the Office Action mailed on January 26, 2007 or the Final Rejection July 18, 2007. Applicant respectfully requests that the Examiner consider the references cited therein and return an initialed copy of the Statement with the next communication.

REMARKS

In the Office Action mailed July 18, 2007 the Examiner rejected claims 1-3, 6-11 and 14-15 under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No. 6,973,669 to Daniels in view of U.S. Patent No. 6,233,389 to Barton and rejected 4 and 12 under 35 U.S.C. 103(a) as being unpatentable over Daniels and Barton in view of U.S. Patent No. 4,675,757 to Block.

Independent claims 1 and 8 recite the ability to control live-pause reproduction of said selected program among first and second reproduction devices. Daniels does not teach or suggest this limitation.

More specifically, Daniels shows only one playback means 18 in Figs. 3-5. Thus, even if Daniels' playback means 18 were equivalent to Applicant's claimed "first reproduction device," Daniels does not teach or suggest a "second reproduction device."

To the extent Applicant understands the Examiner's rejection on this issue, it appears that the Examiner is stating that the "first reproduction device" is shown in Fig. 4 and the "second reproduction device" is shown in Fig. 5. If this is true, Daniels would then fail to teach networking the first and second reproduction devices together. That is, Daniels fails to show any networking of Fig. 4 to Fig. 5 together.

The Examiner admits that Daniels fails to teach or suggest "distributing the ability to control reproduction of said selected program among the first and second reproduction devices ..." To fill this gap, the Examiner relies on column 4, lines 15-33 and column 6, lines 47+ of Barton. A review of these cited passages shows that this claim limitation is not taught therein. Column 4, lines 15-33 do describe multiple decoders. What is not described is any interoperability among these multiple decoders so that one can control

the operation of another. Instead, it appears that Barton uses the multiple decoders to output data to a single television. This is because Barton describes providing the user with picture-in-picture and this requires two decoders to forward their outputs to a single television.

Similarly, column 6, lines 47+ describe tagging certain types of data on audio for video segments. Again, this is not the same as distributing a live-pause functionality among a first and second reproduction device.

In addition, Daniels does not teach or suggest a live-pause operation. The Examiner asserts that Daniels does teach this feature in column 6, lines 28+. This is incorrect. While Daniels does describe time shifting content in this passage, it is incorrect that time shifting involves live-pause commands. Live-pause is a feature that allows a user to invoke recording of streaming or broadcast content and freeze one image on the screen. Thus, the viewer's perception is the content has paused in reproduction while in the background the remaining portion of the content is being recorded. When the viewer resumes reproduction (i.e., undoes the live-pause function), the viewer views content output from the storage medium and NOT content that is presently being broadcasted or streamed. The presently broadcasted or streamed content is instead written into the memory. The presently streamed or broadcasted content will be reproduced at a later time. Thus, while live-pause reproduction does invoke an element of time shifting, time shifting is not synonymous with live-pause reproduction.

With respect to claims 3, 4, 11 and 12, the Examiner asserts that Daniels teaches a hierarchy or ranking among a plurality of reproduction devices in column 5, lines 28+.

Applicant disagrees. As stated previously, Daniels does not teach or suggest a plurality of reproduction devices. Therefore, Daniels cannot teach a hierarchy or ranking either.

With respect to claims 2, 6, 7, 10, 14 and 15, these claims recite functionality between two reproduction devices. As stated previously, Daniels does not teach or suggest two reproduction devices. Therefore, Daniels cannot teach functionality between two reproduction devices.

With respect to claims 4 and 12, both claims recite “control conflicts” among master and slave devices. Block does describe master and slave VCRs. However, the relationship between the master and slave VCRs in Block is for synchronization purposes and not control purposes. Thus, the slave VCRs in Block cannot take control such that a “control conflict” arises among the VCRs in Block.

Claims not specifically mentioned above are allowable due to their dependence on an allowable base claim.

CONCLUSION

No fees are due for this Amendment. However, the Office is authorized to charge any additional fees or underpayments of fees (including fees for petitions for extensions of time) under 37 C.F.R. 1.16 and 1.17 to account number 502117. Any overpayments should be credited to the same account.

Applicant requests entry of this amendment, reconsideration of the pending claims and the issuance of a Notice of Allowance. Should the Examiner have any questions, he is invited to contact Applicant's representative below.

Respectfully submitted,

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